

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**RONALD SOUTNER & JANELLE  
SOUTNER,**

**Plaintiffs**

**v.**

**COVIDIEN, LP,**

**Defendant**

:  
:  
:  
:  
:  
:  
:

**No. 1:17-cv-02178**

**(Judge Kane)**

**ORDER**

**AND NOW**, on this 26th day of October 2018, upon consideration of Defendant's motion to dismiss (Doc. No. 12), **IT IS ORDERED THAT** Defendant's motion to dismiss (Doc. No. 12) is **DENIED** without prejudice. **IT IS FURTHER ORDERED THAT** Plaintiffs shall file a second amended complaint, in accordance with the Memorandum entered concurrently with this Order, within thirty (30) days of the date of this Order. See L.R. 15.1(a).

s/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania